

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

ORDER

05-CR-6161L

v.

JOHN NICOLO, DAVID FINNMAN,  
CONSTANCE ROEDER,

Defendants.

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By motion filed February 10, 2009, defendant Constance Roeder moves to file under seal certain parts of her sentencing memorandum, as well as twelve letter exhibits attached to the sentencing memorandum. Those exhibits include letters from family members, letters from defendant John Nicolo and letters from a psychotherapist (Ex. 7) and a psychiatrist (Ex. 9). The motion seeks to seal approximately twenty pages of the forty-five page sentencing memorandum and twelve of the twenty-two exhibits.

If any party, or third-party, wishes to be heard on the motion, they must file their submission on or before Friday, February 13, 2009 at 12 noon. The Court will then either rule on the motion on the papers or schedule argument if it believes it is necessary to do so.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 11, 2009.